

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

**FILED**

**OCT 03 2003**

**CATHY A. CATTERSON**

**U.S. COURT OF APPEALS**

In re: RENE UMALI, Debtor,

Debtor,

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RENE UMALI,

Appellant,

v.

CHANDULAL DHANANI, Movant;  
HEMLATABIN DHANANI, Movant,

Appellees.

No. 02-15010

D.C. No. CV-01-00556-RCB

MEMORANDUM\*

RENE UMALI,

Appellant,

v.

CHANDULAL DHANANI, Movant;

No. 02-16379

D.C. No. CV-01-01302-RCB

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

HEMLATABIN DHANANI, Movant,

Appellees,

and,

RENE UMALI, Debtor,

Debtor.

Appeal from the United States District Court  
for the District of Arizona  
Robert C. Broomfield, District Judge, Presiding

Argued and Submitted April 8, 2003  
San Francisco, California

Before: FERGUSON, McKEOWN, and RAWLINSON, Circuit Judges.

1. The district court did not violate Umali's due process rights when it upheld the granting of retroactive annulment of the automatic stay because Umali had no protectable liberty interest in the property once the Maricopa County Superior Court entered judgment in the foreclosure action. *See Paciulan v. George*, 229 F.3d 1226, 1230 (9th Cir. 2000); *see also* A.R.S. § 42-18204(B) (2000); *Friedemann v. Kirk*, 5 P.3d 950, 953 (Ariz. 2000). Although A.R.S. § 42-18204(B) provides that judgments of foreclosure are "subject to the right of

appeal and stay of execution,” Umali failed to timely exercise his statutory rights.

2. Umali received proper notice and an opportunity to be heard regarding the bankruptcy court’s decision to retroactively annul the automatic stay. *See* 11 U.S.C. §§ 362(d), (e).

**AFFIRMED.**